

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GUY A. STORY, JR., ROZSA E. KOVESDI, AJIT V.
RAJASEKHARAN, and BENJAMIN CHE-MING JUN

Application No. 09/222,336
Technology Center 3600

Mailed: April 17, 2009

Before KRISTA ZELE *Deputy Chief Appeals Administrator*
ZELE, *Deputy Chief Appeals Administrator*.

ORDER VACATING

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on March 17, 2009. On April 8, 2009, an order returned the undocketed appeal to the examiner to hold the August 20, 2008, Appeal Brief defective. That order was issued in error identifying as missing the Evidence Appendix (ix) and Related Proceedings Appendix (x).

Further review of the Appeal Brief indicates the appendices were properly addressed by the applicants in Table of Contents to their August 20, 2008, Appeal Brief.

CONCLUSION

Accordingly, it is

ORDERED that the April 8, 2009, Order Returning Undocketed Appeal To Examiner is vacated, and the application is returned to the Board of Appeals and Interferences for further processing.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KW/ewh

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON DC 20005-3096